

September 24, 2019 9:00 a.m.

The Jones County Board of Supervisors met in regular session. Present Chairman Rohwedder, Supervisors Eaken, Manternach, Oswald, and Zirkelbach.

Moved by Eaken seconded by Oswald to approve the minutes of the September 17, 2019 meeting. All aye. Motion carried.

Moved by Manternach seconded by Zirkelbach to approve the payroll for the period ending September 15, 2019, as certified by the department heads. All aye. Motion carried.

Moved by Oswald seconded by Eaken to hire Samantha Runde as a part-time jailer, effective September 9, 2019 at \$16.34 per hour, with benefits per the collective bargaining agreement. All aye. Motion carried.

Moved by Zirkelbach seconded by Oswald to approve a Class C Liquor License with Outdoor Service and Sunday Sales privileges for L & D Reyner, Inc. dba Scooters Bar & Grill, 10537 Shaw Rd., Anamosa, to be effective October 1, 2019, subject to receipt of criminal background verifications and approval from the Attorney and Sheriff. All aye. Motion carried. [Auditor's note: Criminal background verification and approvals from the Attorney and Sheriff were received at 10:50 a.m. on September 30, 2019.] [2019-109]

Moved by Oswald seconded by Eaken to acknowledge receipt of a manure management plan update from LNS Acres (facility #59429) for a facility located in Dubuque County with manure application in Jones County, with the County Auditor to retain the document in a temporary file for public access for one year. All aye. Motion carried.

Supervisor Eaken introduced the following resolution and moved its adoption, seconded by Supervisor Manternach. On roll call vote: Oswald aye, Eaken aye, Zirkelbach aye, Manternach aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

TAX ABATEMENT RESOLUTION

BE IT RESOLVED that the Jones County Treasurer shall, pursuant to Section 445.63 of the Code of the Iowa (2019), abate property taxes on property for which the City of Monticello has accepted the dedication for street purposes, in the amount shown below, and any applicable interest and cost, and make appropriate notations on the tax list for the parcels listed below:

MONCO 02 28 205 019	\$26.00 (2018 CT)	Briefly described as:
		WILLOW RIDGE 4 TH ADDITION, LOT A, CITY OF MONTICELLO

The Auditor shared correspondence from PPME Local 2003 reporting the collective bargaining unit's intention to open contract negotiations, subject to successful recertification of the PPME bargaining unit in October 2019.

The Board members provided updates on recent and upcoming committee meetings.

Moved by Eaken seconded by Manternach to open a public hearing at 9:15 a.m. to review violations of the Jones County Nuisance Ordinance on property located at 24052 Ridge Rd., Anamosa, and owned by Faron Fritz. On roll call vote: Oswald aye, Eaken aye, Zirkelbach aye, Manternach aye, Rohwedder aye. Motion carried.

The Land Use Administrator provided details regarding the ordinance violation and noted that the property owner was notified by telephone and by mail, and that notice of the public hearing was published in the two official county newspapers the week of September 16, 2019.

Property owner Faron Fritz, and Brenda Anders, were present at the meeting to offer comments regarding the nuisance. Chairman Rohwedder provided information received in a telephone call from Ted Weber regarding his intentions to move his equipment located on the Fritz property and requesting additional time to do so. Options for abatement of the nuisance were discussed.

Moved by Zirkelbach seconded by Eaken to close the public hearing at 9:25 a.m. On roll call vote: Oswald aye, Eaken aye, Zirkelbach aye, Manternach aye, Rohwedder aye. Motion carried.

Moved by Manternach seconded by Eaken to allow Faron Fritz, the owner of the property located at 24052 Ridge Rd., Anamosa in Section 31 of Cass Township, to have until October 25, 2019 to abate the nuisance or the County will proceed with filing a civil citation pursuant to Section 8, of Article II, of the Jones County Nuisance Ordinance. Ayes: Oswald, Eaken, Manternach, Rohwedder. Nay: Zirkelbach. Motion carried.

The Land Use Administrator provided updates on violations of the Nuisance Ordinance at 24453 Highway 151 W., Cascade and at 12653 Davenport St., Center Junction, following extensions to abate the nuisances granted by the Board at the September 10, 2019 meeting, and a violation of the Nuisance Ordinance at 8346 Slide Rock Rd., Anamosa. Ken Jaeger was present to report on progress made to abate the nuisance at 24453 Highway 151 W., Cascade.

Moved by Zirkelbach seconded by Eaken to note successful abatement of the nuisance on property owned by Patricia O'Shea Moore at 24453 Hwy 151 W., Cascade in Section 4 of Richland Township. All aye. Motion carried.

The County Attorney was present for discussion regarding the nuisance at 12653 Davenport St., Center Junction. The Land Use Administrator noted that only minimal effort had been made by the property owner's representatives to address the nuisance after the Board had granted an extension at their September 10, 2019 meeting following a public hearing on the matter.

Moved by Manternach seconded by Oswald to authorize the Attorney and Land Use Administrator to proceed with the filing of a civil citation against Michael and Randy (deceased) Williams, for property located at 12653 Davenport St., Center Junction, for a violation of Chapter 7, Jones County Nuisance Ordinance, of Title V – Public Order, Safety & Health, of the Jones County Code of Ordinances. All aye. Motion carried.

Moved by Oswald seconded by Eaken to authorize the Land Use Administrator to issue a formal notice of violation of the Jones County Nuisance Ordinance to Paul and Roxanne Rundle for property located at 8346 Slide Rock Rd, Anamosa, in Section 25 of Fairview Township, and providing thirty days to abate the nuisance or to request a hearing before the Board of Supervisors. All aye. Motion carried.

The Engineer met with the Board to provide updates on the Butterfield Rd. private paving project; completion of a plow truck build; the installation of the new fueling system at the Anamosa Secondary Road maintenance shop; the Shaw Rd. and 15th St. projects; work by the patching crew; completion of the rehabilitation of a bridge on Landis Rd.; new federal highway administration requirements for load rating of bridges and his plans to contract with IIW Engineers to provide bridge rating services to meet the new requirements; to propose a change in the speed limit on E23 County Home Rd. near Amber to address safety concerns near the "Hula Hoop Tree"; and to provide an update on the work schedule with Kluesner Construction for various resurfacing projects.

Supervisor Manternach introduced the following resolution and moved its adoption, seconded by Supervisor Eaken. On roll call vote: Oswald aye, Eaken aye, Zirkelbach aye, Manternach aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

RESOLUTION FOR ESTABLISHING SPEED LIMITS

WHEREAS, the Board of Supervisors is empowered under authority of Sections 321.255 and 321.285 of the Code of Iowa to determine upon the basis of an engineering and traffic investigation, that the speed limit of any secondary road is greater than is reasonable and proper

under the conditions existing, and may determine and declare a reasonable and proper speed limit, and

WHEREAS, the Board of Supervisors identified a location which they felt the speed was greater than is reasonable and proper due to increased pedestrian activity along the roadside.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Jones County that the speed limit be reduced and appropriate signs be erected at the location described as follows:

On E23 County Home Rd., reduce to thirty-five miles per hour speed limit just east of Amber Rd. X44 (heading north towards the City of Monticello) and maintain a thirty-five mile per hour speed limit easterly until leaving the unincorporated village of Amber where it transitions back to a fifty-five miles per hour speed limit.

The Auditor provided a deed prepared by the Attorney for the Board to convey unused right of way to an adjacent property owner near Old Dubuque Rd., and noted that the Attorney has contacted legal counsel for the City of Anamosa regarding the County's interest in conveying additional unused right of way within the corporate boundaries of the City of Anamosa north of Old Dubuque Rd. to the City of Anamosa.

Supervisor Zirkelbach introduced the following resolution and moved its adoption, seconded by Supervisor Oswald. On roll call vote: Oswald aye, Eaken aye, Zirkelbach aye, Manternach aye, Rohwedder aye, whereupon the Chairman declared the resolution passed and adopted.

RESOLUTION TO SELL UNUSED RIGHT OF WAY

WHEREAS, the Jones County Board of Supervisors is empowered under the authority of Iowa Code Section 306.22 through 306.26 to dispose of unused right of way, and

WHEREAS, the property owner adjacent to unused right of way described as:

THAT PORTION OF UNUSED ROAD RIGHT OF WAY LOCATED WITHIN PARCEL 94-06 (PARCEL 94-06 BEING A PARCEL LOCATED IN THE NE ¼ NE ¼ OF SECTION 2 AND THE NW ¼ NW ¼ OF SECTION 1, TOWNSHIP 84 NORTH, RANGE 4, WEST OF THE 5TH P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK K, PAGE 167 (AND IN BOOK 361, PAGE 350) OF THE JONES COUNTY, IOWA RECORDS) AND CONTAINING .14 ACRES.

SAID PARCEL MAY ALSO BE DESCRIBED AS THAT PORTION OF PARCEL 98-80 (PARCEL 98-80 BEING A PARCEL LOCATED IN THE NE ¼ NE ¼ OF SECTION 2 AND THE NW ¼ NW ¼ OF SECTION 1, TOWNSHIP 84 NORTH, RANGE 4 WEST OF THE 5TH P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK N, PAGE 8 (AND AS DOCUMENT NO. 9899 0606) OF THE JONES COUNTY, IOWA RECORDS) LYING WITHIN PARCEL 94-06 (PARCEL 94-06 BEING A PARCEL LOCATED IN THE NE ¼ NE ¼ OF SECTION 2 AND THE NW ¼ NW ¼ OF SECTION 1, TOWNSHIP 84 NORTH, RANGE 4, WEST OF THE 5TH P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK K, PAGE 167 (AND IN BOOK 361, PAGE 350) OF THE JONES COUNTY, IOWA RECORDS) AND CONTAINING .14 ACRES.

has expressed interest in acquiring the property, and

WHEREAS, said property was acquired by Jones County from the Iowa Department of Transportation by deed recorded as Document Number 98-99 1220 on October 8, 1998, and

WHEREAS, Cook Appraisal and Commercial Valuation Group has determined the fair market value of the .14 acre parcel of unused right of way to be \$1,800, and

WHEREAS, after notice was provided, as required by Section 306.23 of the Code of Iowa (2019), to all adjacent property owners, those being only Jeffrey and JoAnn Hinz and Jones County, Iowa, Jeffrey and JoAnn Hinz submitted a written offer of \$1,800 for said unused right of way, and

WHEREAS, the Jones County Board of Supervisors find they have no further use of said unused right of way and find it in the best interest of the public to sell said unused right of way described as:

THAT PORTION OF UNUSED ROAD RIGHT OF WAY LOCATED WITHIN PARCEL 94-06 (PARCEL 94-06 BEING A PARCEL LOCATED IN THE NE ¼ NE ¼ OF SECTION 2 AND THE NW ¼ NW ¼ OF SECTION 1, TOWNSHIP 84 NORTH, RANGE 4, WEST OF THE 5TH P.M., AS SHOWN IN THE PLAT OF SURVEY RECORDED IN PLAT BOOK K, PAGE 167 (AND IN BOOK 361, PAGE 350) OF THE JONES COUNTY, IOWA RECORDS) AND CONTAINING .14 ACRES.

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and

WHEREAS, adjacent property owners Jeffrey and JoAnn Hinz have submitted a written bid, and payment, matching the amount of the certified appraisal for the parcel.

NOW THEREFORE BE IT RESOLVED, the Jones County Board of Supervisors shall sell said .14 acre parcel of unused right of way described above to Jeffrey and JoAnn Hinz and shall issue a deed conveying ownership to Jeffrey and JoAnn Hinz for said unused right of way. [2019-110]

Moved by Zirkelbach seconded by Eaken to accept bids until 9:00 a.m. on October 22, 2019 for a heating, ventilation, and air conditioning retro-fit project at the Courthouse, associated with a future window replacement project. All aye. Motion carried.

Moved by Oswald seconded by Eaken to set a public hearing at 9:15 a.m. on October 22, 2019 to receive public comment, and to approve the plans and specifications, proposed form of contract, and estimated cost for a heating, ventilation, and air conditioning retro-fit project at the Courthouse, associated with a future window replacement project. All aye. Motion carried.

Moved by Eaken seconded by Manternach to adjourn at 10:34 a.m. All aye. Motion carried.

Attest: Janine Sulzner, Auditor

Ned Rohwedder, Chairman